

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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RAFAEL NIEVES,

Plaintiff,

**STIPULATION AND  
ORDER OF DISMISSAL**

-against-

19 CV 0716 (NGG) (SJB)

THE CITY OF NEW YORK; ET AL.,

Defendants.  
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**WHEREAS**, the parties have reached a settlement agreement and now desire to resolve the remaining issues raised in this litigation, without further proceedings and without admitting any fault or liability;

**NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED**, by and between the undersigned, that

1. The above-referenced action is hereby dismissed with prejudice.

**[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]**

Dated: Brooklyn, New York  
\_\_\_\_\_, 2019

ROBERT MARINELLI  
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New York, NY 10007  
(212) 822-1427

By: \_\_\_\_\_

Robert Marinelli  
Attorney for Plaintiff

JAMES E. JOHNSON  
Corporation Counsel of the  
City of New York  
*Attorney for Defendants*  
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New York, New York 10007

By: \_\_\_\_\_

Nakul Y. Shah  
Assistant Corporation Counsel  
Special Federal Litigation Division

SO ORDERED:

\_\_\_\_\_  
HON. NICHOLAS G. GARAUFIS  
UNITED STATES DISTRICT JUDGE

Dated: \_\_\_\_\_, 2019